UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

LOWENSTEIN SANDLER LLP

Kenneth A. Rosen, Esq. Mary E. Seymour, Esq. Philip J. Gross, Esq. One Lowenstein Drive Roseland, NJ 07068

Telephone: (973) 597-2500 E-mail: <u>krosen@lowenstein.com</u> E-mail: <u>pgross@lowenstein.com</u> E-mail: <u>mseymour@lowenstein.com</u>

Co-Counsel to Michaels Stores, Inc.

WHITE & CASE LLP

Gregory F. Pesce, Esq. (pro hac vice pending) Laura E. Baccash, Esq. (pro hac vice pending) 111 South Wacker Drive, Suite 5100

Chicago, IL 60606-4302 Telephone: (312) 881-5400

Email: gregory.pesce@whitecase.com
Emailto: <a href="mailto:gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@whitecase.gregory.pesce@white

-and-

Samuel P. Hershey, Esq. (pro hac vice pending)

1221 Avenue of the Americas New York, New York 10020 Telephone: (212) 819-8200

Email: sam.hershey@whitecase.com

-and-

Devin J. Rivero, Esq. (pro hac vice pending) Southeast Financial Center

200 South Biscayne Blvd., Suite 4900

Miami, FL 33131-2352 Telephone: (305) 371-2700

Email: devin.rivero@whitecase.com

In re:

BED BATH & BEYOND INC., et al., Debtors.¹ Chapter 11

Case No. 23-13359 (VFP) (Jointly Administered)

ORDER GRANTING MICHAELS STORES, INC.'S MOTION TO FILE UNDER SEAL EXHIBIT A TO THE DECLARATION OF TODD POWERS

The relief set forth on the following pages, numbered two (2) to three (3), is hereby

ORDERED.

_

The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at https://restructuring.ra.kroll.com/bbby. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

Case 23-13359-VFP Doc 1385-1 Filed 07/17/23 Entered 07/17/23 16:26:47 Desc Proposed Order Page 2 of 3

Page: 2

Debtors: BED BATH & BEYOND INC., et al.

Case No: 23-13359 (VFP)

Caption: Order Granting Michaels Stores, Inc.'s Motion to File Under Seal Exhibit A to

Declaration of Todd Powers

On the motion (the "Seal Motion") of Michaels Stores, Inc. ("Michaels") for entry of an order (this, "Order") authorizing Michaels to file Exhibit A to the Declaration of Todd Powers in Support of Michaels Stores Inc.'s Reply to Objection of Pinnacle Hills, LLC to Debtors' Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 1142 [Docket No. 1384] (the "Declaration") under seal in its entirety; and the Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(a)-(b) and 1334(b); and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of the Seal Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that due and sufficient notice of the Seal Motion has been provided under the circumstances and that no other or further notice or hearing is required; and this Court having determined that the legal and factual bases set forth in the Seal Motion establishes sufficient cause for the relief granted herein pursuant to 11 U.S.C. § 107(b)(1), Bankruptcy Rule 9018, and Local Rule 9018-1; and the Court having considered the Seal Motion and any responses thereto; and, accordingly it is HEREBY ORDERED THAT:

- 1. The Seal Motion is granted as set forth herein.
- 2. Michaels is authorized, pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, to file **Exhibit A** to the Declaration under seal in its entirety.
- 3. Michaels is authorized to cause the unsealed **Exhibit A** to be served on and made available, on a confidential basis, to: (a) the Court; (b) the Debtors' and Landlord's counsel; and (c) any other party as may be ordered by the Court.

Case 23-13359-VFP Doc 1385-1 Filed 07/17/23 Entered 07/17/23 16:26:47 Desc Proposed Order Page 3 of 3

Page: 3

Debtors: BED BATH & BEYOND INC., et al.

Case No: 23-13359 (VFP)

Caption: Order Granting Michaels Stores, Inc.'s Motion to File Under Seal Exhibit A to

Declaration of Todd Powers

4. Michaels is authorized to take all actions necessary to effectuate the ruling set forth in this Order.

5. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.